

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2007-326-C - ORDER NO. 2008-352

MAY 13, 2008

IN RE: FLATEL, Inc., Complainant/Petitioner v.) ORDER GRANTING
Verizon South, Inc., Defendant/Respondent) MOTION TO DISMISS

This matter comes before the Public Service Commission of South Carolina ("Commission") on the motion of Verizon South, Inc. ("Verizon"). On or about October 12, 2007, Verizon moved to dismiss the complaint of FLATEL, Inc. ("FLATEL") on the grounds that the complaint was not signed by a South Carolina attorney and otherwise did not comply with the Commission's pleading requirements, and that FLATEL had failed to comply with the alternative dispute resolution process set forth in the parties' interconnection agreement. On or about November 6, 2007, the Commission issued Order No. 2007-802, in which it appointed a Hearing Officer to rule upon non-dispositive procedural matters in the case. On or about January 22, 2008, the Hearing Officer issued a Hearing Officer Directive which held Verizon's Motion to Dismiss in abeyance for a period of thirty days and instructed FLATEL to retain South Carolina counsel and file a response to Verizon's Motion to Dismiss. FLATEL did not respond in any way to the Hearing Officer Directive. No attorney has made an appearance in this matter on behalf of FLATEL, and FLATEL has not otherwise responded to Verizon's motion. Because

FLATEL has not in any way opposed Verizon's Motion to Dismiss despite being given ample time and opportunity to do so, Verizon's motion is granted.

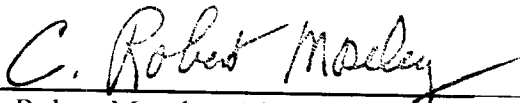
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)